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8 **UNITED STATES DISTRICT COURT**
9 EASTERN DISTRICT OF CALIFORNIA

10 DANAE SCHMITZER,

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL SECURITY,

14 Defendant.

15 Case No. 1:22-cv-01038-BAM

16 ORDER REQUIRING PLAINTIFF TO FILE
17 LONG FORM APPLICATION TO PROCEED
18 IN FORMA PAUPERIS

19 (Doc. 2)

20 TWENTY-ONE DAY DEADLINE

21 On August 17, 2022, Plaintiff Danae Schmitzer (“Plaintiff”), through counsel, filed this
22 action seeking judicial review of a final decision of the Commissioner of the Social Security
23 Administration. (Doc. 1.) Plaintiff did not pay the filing fee and instead filed an application to
24 proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (Doc. 2). However, Plaintiff’s
25 application is insufficient for the Court to determine if Plaintiff is entitled to proceed without
prepayment of fees in this action. Notably, Plaintiff has reported receiving \$5,000 per month
from Plaintiff’s father to pay monthly expenses. (*Id.* at 2.) Plaintiff’s monthly expenses are not
identified.

26 Accordingly, the Court will order Plaintiff to complete and file an Application to Proceed
27 in District Court Without Prepaying Fees or Costs (Long Form) – AO 239. If Plaintiff is
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1 unwilling to complete and submit the long form application, Plaintiff must pay the filing fee in
2 full.

3 Based upon the foregoing, it is HEREBY ORDERED that:

- 4 1. The Clerk of the Court is directed to forward an Application to Proceed in District
5 Court Without Prepaying Fees or Costs (Long Form) – AO 239 to Plaintiff;
6 2. Within **twenty-one (21) days** of the date of this order, Plaintiff shall either (1)
7 pay the \$402.00 filing fee for this action, or (2) complete and file the enclosed
8 Application to Proceed in District Court Without Prepaying Fees or Costs (Long
9 Form) – AO 239; and

10 3. If Plaintiff fails to comply with this order, this action shall be dismissed.

11 IT IS SO ORDERED.
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13 Dated: August 18, 2022

/s/ Barbara A. McAuliffe

14 UNITED STATES MAGISTRATE JUDGE

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